

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA :

-v- :

05-cr-538-02 (JSR)

SHAWN PETERKIN, :

ORDER

Defendant. :

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JED S. RAKOFF, U.S.D.J.

On June 17, 2025, this Court received a pro se motion of defendant Shawn Peterkin, seeking relief under Fed. R. Civ. P. 60(b) from this Court's denial of Peterkin's compassionate relief motion dated December 29, 2023. (ECF No. 243). On February 12, 2024, Peterkin appealed that order. (ECF No. 247). As of the date of this Order, that appeal is still pending. Accordingly, the Court does not have jurisdiction over Peterkin's motion until the mandate of the United States Court of Appeals for the Second Circuit issues. Griggs v. Provident Consumer Disc. Co., 459 U.S. 56, 58 (1982) ("The filing of a notice of appeal is an event of jurisdictional significance -- it confers jurisdiction on the court of appeals and divests the district court of its control over those aspects of the case involved in the appeal."), see also United States v. Rodgers, 101 F.3d 247, 251 (2d Cir. 1996).

SO ORDERED.

Dated: New York, NY  
June 20, 2025

  
JED S. RAKOFF, U.S.D.J.